

## **RESPONSE AND REMARKS**

### THE APPEAL DECISION

#### REVERSAL OF PREVIOUS REJECTION UNDER SECTION 103(a)

In the Appeal Decision, the Board of Appeals reversed the rejection of Claims 1-21, 26-52 and 57-70 under Section 103(a), holding that:

Barnett's system does not function to compare the cost of any of the products, tickets or services that could be bought. Costs are not displayed on Barnett's calendar. Barnett's calendaring system function is scheduling. Therefore we find that to use Barnett's calendaring system to display a comparison of costs for shipping a parcel using particular shipping services would be more than the predictable use[] of prior art calendaring system of Barnett according to its established function.

#### NEW GROUND OF REJECTION OF CLAIMS 63-70 UNDER SECTION 101

After reversing the rejection of Claims 1-21, 26-52 and 57-70 under Section 103(a), the Board of Appeals entered a new ground of rejection under Section 101 for Claims 63-70.

#### RESPONSE TO NEW GROUND OF REJECTION OF CLAIMS 63-70 UNDER SECTION 101

The rejection by the Board under Section 101 has been carefully considered. Claims 63-70 have been amended to more distinctly claim the claimed invention. As amended, Claims 63-70 claim that the claimed computer program product comprises instructions stored on a computer readable medium. It is respectfully asserted that the amendments to Claims 63-70 made herewith resolve the rejection of Claims 63-70 under Section 101.

In view of the amendments to Claims 63-70, and in view of the reversal by the Board of Appeals of the previous rejection of these claims under Section 103(a), it is respectfully asserted that Claims 63-70 are in condition for allowance.

REQUEST FOR REINSTATEMENT OF CLAIMS 22-25 AND 53-56

An Office Action dated March 31, 2004 issued a species election requirement. In response to the species election requirement, Dependent Claims 22-25 and dependent Claims 53-56 were withdrawn.

Dependent Claims 22-25 are dependent on Claim 21, for which the previous rejection under Section 103(a) has been reversed by the Board of Appeals. Dependent Claims 53-36 are dependent on Claim 52, for which the previous rejection under Section 103(a) has been reversed by the Board of Appeals.

In view of the reversal by the Board of Appeals of the previous rejections under Section 103(a) of Claims 21 and 52, it is respectfully requested that Claims 22-25 and 53-56 be reinstated and allowed.

MINOR AMENDMENT OF CLAIM 32

A minor amendment to Claim 32 is made herewith to correct a typographical error.

CONCLUSION

In view of the foregoing amendments, and in view of the holding by the Board of Appeals, it is respectfully asserted that Claims 1-70 of the present amended application are in condition for allowance. Accordingly, reconsideration and allowance of the amended application is respectfully requested.

Respectfully submitted,

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